

**Baker & Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Marc E. Hirschfield  
Nicholas J. Cremona

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BERTRAM BROMBERG TRUST UAD 5/26/06,

BERTRAM BROMBERG, individually and in his  
capacities as settlor, beneficiary, and trustee of the  
Bertram Bromberg Trust UAD 5/26/06,

GLORIA BROMBERG TRUST UAD 5/26/06,

Adv. Pro. No. 10-05080 (SMB)

GLORIA BROMBERG, individually and in her  
capacities as settlor, beneficiary, and trustee of the  
Gloria Bromberg Trust UAD 5/26/06,

Defendants.

**STIPULATION AND ORDER FOR SUBSTITUTION OF DEFENDANT**

**WHEREAS**, on December 1, 2010, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned avoidance action against defendant Bertram Bromberg; and

**WHEREAS**, Bertram Bromberg died on June 22, 2014.

**IT IS THEREFORE MUTUALLY AGREED AND STIPULATED**, by and between the Trustee and Gloria Bromberg, in her capacity as the Personal Representative of the Estate of Bertram Bromberg and in her capacity as successor trustee of the Bertram Bromberg Revocable Trust UAD 5/26/06, as follows:

1. The Estate of Bertram Bromberg <sup>1</sup> (the “Estate”), and Gloria Bromberg, in her capacity as the Personal Representative of the Estate of Bertram Bromberg and in her capacity as successor trustee of the Bertram Bromberg Revocable Trust UAD 5/26/06, (collectively referred to as “Defendants”), are hereby substituted into this action in place of Bertram Bromberg, deceased, and the complaint shall be deemed so amended.

2. The Clerk of the Court is hereby directed to amend the caption to remove Bertram Bromberg and substitute the Estate of Bertram Bromberg and Gloria Bromberg, in her capacity

---

<sup>1</sup> The Estate of Bertram Bromberg, Court File No. 432014CP000662CPAXMX in the Circuit Court for Martin County, Florida, Probate Division.

as the Personal Representative of the Estate of Bertram Bromberg and in her capacity as successor trustee of the Bertram Bromberg Revocable Trust UAD 5/26/06, as reflected on Exhibit A to this Stipulation.

3. Counsel for the undersigned Defendants: (i) expressly represents that she has the authority to accept service of the Amended Complaint on behalf of Defendants, (ii) waives service of the summons and the Amended Complaint on behalf of Defendants, and (iii) hereby waives any defenses based on insufficiency of process or insufficiency of service of process of the summons and Amended Complaint on behalf of Defendants, and (iv) expressly agrees that the amendment noted in Paragraph 1 hereof shall not be considered an amendment under Federal Rule of Civil Procedure 15(a)(1)(A) or (B).

4. Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have.

5. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 14, 2015

**BAKER & HOSTETLER LLP**

By: /s/ Nicholas J. Cremona  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Marc E. Hirschfield  
Email: mhirschfield@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard, Trustee for  
the Liquidation of Bernard L. Madoff Investment  
Securities LLC and Bernard L. Madoff*

**KRAMER LEVIN NAFTALIS & FRANKEL  
LLP**

*By: /s/ Elise S. Frejka* \_\_\_\_\_

1177 Avenue of the Americas

New York, New York 10036

Telephone: (212) 715-9100

Facsimile: (212) 715-8000

Philip Bentley

Email: pbtentley@kramerlevin.com

Elise S. Frejka

Email: efrejka@kramerlevin.com

Jason S. Rappaport

Email: jrappaport@kramerlevin.com

*Attorneys for Bertram Bromberg Trust UAD  
5/26/06, Bertram Bromberg (deceased), Gloria  
Bromberg Trust UAD 5/26/06, and Gloria  
Bromberg*

SO ORDERED

/s/ STUART M. BERNSTEIN \_\_\_\_\_

HON. STUART M. BERNSTEIN

UNITED STATES BANKRUPTCY JUDGE

Dated: January 15<sup>th</sup>, 2015  
New York, New York